

Substitute for form 1449A/PTO		<div style="text-align: center;"> <b>APR 19 2004</b>          INFORMATION DISCLOSURE          STATEMENT BY APPLICANT          (use as many sheets as necessary)       </div>		<b>Complete if Known</b> Application Number 10/788,791 Filing Date February 27, 2004 First Named Inventor Lilip Lau Art Unit 3736 Examiner Name Unassigned Attorney Docket Number PARCR 67466	
Sheet	1	of	8		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
do		3,966,401		06/29/76	Hancock et al.	
		3,988,782		11/02/76	Dardik et al.	
		4,011,947		03/15/77	Sawyer	
		4,065,816		01/03/78	Sawyer	
		4,108,161		08/22/78	Samuels et al.	
		4,211,325		07/08/80	Wright	
		4,306,318		12/22/81	Mano et al.	
		4,512,471		04/23/85	Kaster et al.	
		4,545,783		10/08/85	Vaughn	
		4,665,906		05/19/87	Jervis	
		4,697,703		10/06/87	Will	
		4,750,619		06/14/88	Cohen et al.	
		4,838,288		06/13/89	Wright et al.	
		4,863,016		09/05/89	Fong et al.	
		5,031,762		07/16/91	Heacox	
		5,067,957		11/26/91	Jervis	
		5,106,386		04/21/92	Isner et al.	
		5,190,546		03/02/93	Daskalakis	
		5,344,442		09/06/94	Deac	
		5,366,460		11/22/94	Eberbach	
		5,385,229		01/31/95	Bittmann et al.	
do		5,405,360		04/11/95	Tovey	

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Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
do		EP	0 791 330 A3		08/27/97	Cardiothoracic Systems		
		PCT	WO 98/29041		07/09/98	Myocor, Inc.		
		PCT	WO 99/11201		03/11/99	Endocore, Inc.		
		EP	0 919 193 A1		06/02/99	Ethicon Endo-Surgery		
		PCT	WO 00/42919		07/25/00	Buckberg et al.		
		PCT	WO 00/48795		08/24/00	Richebourg		
		PCT	WO 00/74769		12/14/00	Johns Hopkins Univ.		
		PCT	WO 01/17437		03/15/01	Cardiothoracic Systems		
		PCT	WO 01/21098		03/29/01	Acom Cardiovascular		
		PCT	WO 01/50981		07/19/01	Acom Cardiovascular		

Examiner Signature	Gilbert	Date Considered	12/27/00
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Sheet <b>2</b>		of <b>8</b>		Application Number		10/788,791	
				Filing Date		February 27, 2004	
				First Named Inventor		Lilip Lau	
				Art Unit		3736	
				Examiner Name		Unassigned	
				Attorney Docket Number		PARCR 67466	

  

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		Number	Kind Code <sup>2</sup> (if known)			
[Signature]		5,460,962		10/24/95	Kemp	
		5,500,015		03/19/96	Altman	
		5,597,378		01/28/97	Jervis	
		5,607,477		03/04/97	Schindler et al.	
		5,727,569		03/17/98	Bencetti et al.	
		5,800,528		09/01/98	Lederman et al.	
		5,814,097		10/29/98	Sterman et al.	
		5,824,028		10/20/98	Knisley	
		5,836,311		11/17/98	Borst et al.	
		5,904,690		05/18/99	Middleman et al.	
		5,927,284		07/27/99	Borst et al.	
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		6,007,486		12/28/99	Hunt et al.	
		6,015,378		01/18/00	Borst et al.	
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		6,117,159		09/12/00	Huebsch et al.	
		6,117,979		09/12/00	Hendriks et al.	
		6,126,590		10/03/00	Alferness	
		6,166,184		12/26/00	Hendriks et al.	
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		6,206,820		03/27/01	Kazi et al.	

  

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[Signature]		PCT	WO 01/95830		12/20/01	Acorn Cardiovascular		
		PCT	WO 02/13726		02/21/02	Acorn Cardiovascular		
		PCT	WO 02/19917		03/14/02	Converge Medical		
		PCT	WO 02/059007		08/01/02	SnapWare Corp.		
		PCT	WO 03/026483		04/03/03	The Foundry, Inc.		
		PCT	WO 03/026485		04/03/03	The Foundry, Inc.		
[Signature]		PCT	WO 03/026484		04/03/03	The Foundry, Inc.		

  

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		First Named Inventor	Lilip Lau		
		Art Unit	3736		
		Examiner Name	Unassigned		
Sheet	3	of	8	Attorney Docket Number	PARCR 67466

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AP		6,230,714		05/15/01	Alfermess et al.	
		6,287,250		09/11/01	Peng et al.	
		6,306,141		10/23/01	Jervis	
		6,360,749		03/26/02	Jayaraman	
		6,375,608		04/23/02	Alfermess	
		6,390,976		05/21/02	Spence et al.	
		6,432,039		08/13/02	Wardle	
		6,451,025		09/17/02	Jervis	
		6,482,146		11/19/02	Alfermess et al.	
		6,537,203		03/25/03	Alfermess et al.	
		6,544,168		04/08/03	Alfermess	
		6,547,821		11/11/03	Taylor et al.	
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		6,569,082		05/27/03	Chin	
		6,572,533		06/03/03	Shapland et al.	
		6,575,921		06/10/03	Vanden Hoek et al.	
		6,582,355		06/24/03	Alfermess et al.	
		6,587,734		07/01/03	Okuzumi	
		6,595,912		07/22/03	Lau et al.	
		6,602,184		08/05/03	Lau et al.	
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		6,612,979		09/02/03	Lau et al.	
		6,659,082		05/27/03	Chin	
		6,645,139		11/11/03	Haindl	
		6,663,558		12/16/03	Lau et al.	
		6,673,009		01/06/04	Vanden Hoek et al.	
		6,682,474		01/27/04	Lau et al.	
		6,682,475		01/27/04	Cox et al.	

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Examiner Signature	G. J. Butler	Date Considered	12/27/05
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		Number	Kind Code <sup>2</sup> (if known)			
[Signature]		6,682,476		01/27/04	Alferness et al.	
		6,685,620		02/03/04	Gifford, III et al.	
		6,685,627		02/03/04	Jayaraman	
		6,702,732		03/09/04	Lau et al.	
		2001/00293134		10/11/01	Alferness et al.	
		2001/0047122		11/29/01	Vanden Hoek et al.	
		2002/0151950		10/17/02	Okuzumi	
		2003/0060674		03/27/03	Gifford, III et al.	
		2003/0060677		03/27/03	French et al.	
		2003/0060895		03/27/03	French et al.	
		2003/0199733		10/23/03	Shapland et al.	
		2003/0199955		10/23/03	Struble et al.	
		2003/0229265		12/11/03	Girard et al.	

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		Group Art Unit	Unassigned		
		Examiner Name	Unassigned		
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
SL		Anstadt, George L., et al., <i>A New Instrument for Prolonged Mechanical Cardiac Massage</i> , <u>Abstracts of the 38<sup>th</sup> Scientific Sessions</u> , Supplement II to <u>Circulation</u> , Vols. 31 and 32, pp. 375-384, October 1965	
		Schetky, L. McDonald, <i>Shap- Memory Alloys</i> , <u>Scientific American</u> , Vol. 241, No. 5, pp. 74-82, November 1979	
		Melton, K.N., et al., <i>Alloys With Two-Shape Memory Effect</i> , <u>Mechanical Engineering</u> , pp. 42-43, March 1980	
		Chekanov, Valeri, M.D., Ph.D., <i>Nonstimulated Cardiomyoplasty Wrap Attenuated the Degree of Left Ventricular Enlargement</i> , <u>Annals of Thoracic Surgeons</u> , Vol. 57, pp. 1684-1690, 1997	
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		Gaudron, Peter, M.D., et al., <i>Progressive Left Ventricular Dysfunction and Remodeling After Myocardial Infarction</i> , <u>Circulation</u> , vol. 87, pp. 755-763, March 1993	
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SL		Raman, Jai S., FRACS, et al., <i>Ventricular Containment as an Adjunctive Procedure in Ischemic Cardiomyopathy: Early Results</i> , <u>Annals of Thoracic Surgery</u> , Vol. 70, pp. 1124-1126, January 2000	

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AS		Chaudhry, Pervaiz A., M.D., et al., <i>Passive Epicardial Containment Prevents Ventricular Remodeling in Heart Failure</i> , <u>Annals of Thoracic Surgeons</u> , Vol. 70, pp. 1275-1280, 2000	
		Oz, Mehmet C., M.D., <i>Passive Ventricular Constraint for the Treatment of Congestive Heart Failure</i> , <u>Annals of Thoracic Surgery</u> , Vol. 71, pp. 5185-5187, 2001	
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Substitute for form I449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/788,791
		Filing Date	February 27, 2004
		First Named Inventor	Lilip Lau
		Group Art Unit	3736
		Examiner Name	Unassigned
Sheet 7 of 8	Attorney Docket Number	PARCR 67466	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
[Signature]		Application for U.S. Letters Patent Serial No. 09/634,043 filed August 8, 2000	
		Application for U.S. Letters Patent Serial No. 09/952,145 filed September 10, 2001	
		Application for U.S. Letters Patent Serial No. 10/242,016 filed September 10, 2002	
		Application for U.S. Letters Patent Serial No. 10/287,723 filed October 31, 2002	
		Application for U.S. Letters Patent Serial No. 10/314,696 filed December 9, 2002	
		Application for U.S. Letters Patent Serial No. 10/338,934 filed January 7, 2003	
		Provisional Patent Application Serial No. 60/458,991 filed March 28, 2003	
		Provisional Patent Application Serial No. 60/486,062 filed July 10, 2003	
		Application for U.S. Letters Patent Serial No. 10/694,646 filed October 27, 2003	
		Application for U.S. Letters Patent Serial No. 10/698,237 filed October 31, 2003	
		Application for U.S. Letters Patent Serial No. 10/704,376 filed November 7, 2003	
		Application for U.S. Letters Patent Serial No. 10/705,989 filed November 12, 2003	
		Application for U.S. Letters Patent Serial No. 10/714,189 filed November 13, 2003	
		Application for U.S. Letters Patent Serial No. 10/715,150 filed November 17, 2003	
		Application for U.S. Letters Patent Serial No. 10/754,174 filed January 9, 2004	
		Application for U.S. Letters Patent Serial No. 10/754,264 filed January 9, 2004	
	Application for U.S. Letters Patent Serial No. 10/754,852 filed January 9, 2004		
[Signature]		Provisional Patent Application Serial No. 60/535,888 filed January 12, 2004	

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				Attorney Docket Number	PARCR 67466
				Sheet	8

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Sheet	1	of	11		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
1/1		2,826,193		03/11/1958	Vineberg	
		3,464,322		09/02/1969	Pequignot	
		3,513,836		05/26/1970	Sausse	
		3,587,567		06/28/1971	Schiff	
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		4,011,947		03/15/1977	Sawyer	
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		4,372,293		02/08/1983	Vijil-Rosales	
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	1/1		4,512,471		04/23/1985	Kaster et al.
		4,536,893		08/27/1985	Parravicini	
		4,545,783		10/08/1985	Vaughn	

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Examiner Signature	Gilbert	Date Considered	12/27/05
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22		5,098,369		03/24/1992	Heilman et al.	
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	23		5,385,156		01/31/1995	Oliva
		5,385,229		01/31/1995	Bittmann et al.	
		5,385,528		01/31/1995	Wilk	

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Examiner Signature	<i>Gilbert</i>	Date Considered	12/22/05
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				Attorney Docket Number	PARCR 67466
Sheet	4	of	11		

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630		5,713,954		02/03/1998	Rosenberg et al.	
		5,727,569		03/17/1998	Benetti et al.	
		5,749,839		05/12/1998	Kovacs	
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		5,961,440		10/05/1999	Schweich, Jr. et al.	
	631		5,976,069		11/02/1999	Navia et al.
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		5,984,857		11/16/1999	Buck et al.	
		5,990,378		11/23/1999	Ellis	

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Examiner Signature	G. J. G. J.	Date Considered	12/7/05
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JS		6,007,486		12/28/1999	Hunt et al.	
		6,015,378		01/18/2000	Borst et al.	
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				

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			Application Number	10/788,791
			Filing Date	February 27, 2004
			First Named Inventor	Lilip Lau
			Art Unit	3736
			Examiner Name	Unassigned
			Attorney Docket Number	PARCR 67466
Sheet	7	of	11	

U.S. PATENT DOCUMENTS						
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		Number	Kind Code <sup>2</sup> (if known)			
JS		6,165,119		12/26/2000	Schweich, Jr. et al.	
		6,165,120		12/26/2000	Schweich, Jr. et al.	
		6,165,121		12/26/2000	Alfemess	
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		6,166,184		12/26/2000	Hendriks et al.	
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	JS		6,282,445		08/28/2001	Reinhardt et al.
		6,287,250		09/11/2001	Peng et al.	
		6,293,906		09/25/2001	Vanden Hoek et al.	
		6,306,141		10/23/2001	Jervis	
		6,360,749		03/26/2002	Jayaraman	

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
		PCT	WO/0036995		06/29/2000	Corset Inc.		

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		Application Number	10/788,791
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Filing Date	February 27, 2004
		First Named Inventor	Lilip Lau
		Art Unit	3736
		Examiner Name	Unassigned
		Attorney Docket Number	PARCR 67466
Sheet	8	of	11

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LS		6,375,608		04/23/2002	Alfemess	
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Examiner Signature	<i>Gilbert</i>	Date Considered	<i>12/27/05</i>
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			Application Number	10/788,791
			Filing Date	February 27, 2004
			First Named Inventor	Lilip Lau
			Art Unit	3736
			Examiner Name	Unassigned
Sheet 9 of 11	Attorney Docket Number		PARCR 67466	

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		Number	Kind Code <sup>2</sup> (if known)			
<i>SL</i>		6,689,048		02/10/20/04	Vanden Hoek et al.	
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		Application Number	10/788,791
		Filing Date	February 27, 2004
		First Named Inventor	Lilip Lau
		Group Art Unit	3736
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Sheet 10	of 11	Attorney Docket Number	PARCR 67466

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sls		Carpentier, Alain, M.D., Ph.D., et al., <i>Dynamic Cardiomyoplasty at Seven Years</i> , <u>The Journal of Thoracic and Cardiovascular Surgery</u> , Vol. 106, No. 1, pp. 42-54, July 1993	
		Capouya, Eli R., M.D., et al., <i>Girdling Effect of Nonstimulated Cardiomyoplasty on Left Ventricular Function</i> , <u>Annals of Thoracic Surgeons</u> , Vol. 56, pp. 867-71, 1993	
		Chiu, Ray C.-J., <i>Using Skeletal Muscle for Cardiac Assistance</i> , <u>Scientific American</u> , pp. 68-77, November/December 1994	
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sls		Frazier, O.H., M.D., et al., <i>Left Ventricular Assist System as a Bridge to Myocardial Recovery</i> , <u>Annals of Thoracic Surgery</u> , Vol. 68, pp. 734-741, 1999	
		<del>Teckell-Taylor, Leah A., et al., <i>Passive Ventricular Restraint With Nitinol Mesh Attenuates Remodeling Following Acute Myocardial Infarction</i>, Abstract, American College of Cardiology (Undated)</del>	
sls		Wharton, J. Marcus, et al., <i>Electrophysiological Effects of Monophasic and Biphasic Stimuli in Normal and Infarcted Dogs</i> , <u>PACE</u> , Vol. 13, pp. 1158-1172, September 1990	
sls		Shabetai, Ralph, <i>The Role of the Pericardium in the Pathophysiology of Heart Failure</i> , <u>Congestive Heart Failure</u> , Second Edition, Chapter 9, pp. 157-187, 2000	

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SL		Application for U.S. Letters Patent Serial No. 09/952,145 filed September 10, 2001 published on February 14, 2003 as Pub. No. 02-0019580-A1; Inventors: Lau et al.	
		Application for U.S. Letters Patent Serial No. 10/314,696 filed December 9, 2002 published on April 3, 2003 as Pub. No. 03-0065248-A1; Inventors: Lau et al.	
		Provisional Patent Application Serial No. 60/486,062 filed July 10, 2003; Inventors: Hong et al.	
SL		Application for U.S. Letters Patent Serial No. 10/698,237 filed October 31, 2003 published on July 29, 2004 as Pub. No. 04-0147805-A1; Inventor: Lau	
		Application for U.S. Letters Patent Serial No. 10/704,376 filed November 7, 2003; Inventor: Lau	
SL		Application for U.S. Letters Patent Serial No. 10/715,150 filed November 17, 2003 published on March 10, 2005 as Pub. No. 05-0055032; Inventor: Lau	
		Provisional Patent Application Serial No. 60/535,888 filed January 12, 2004; Inventors: Fishler et al.	

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